

Fill in this information to identify your case:

United States Bankruptcy Court for the:

DISTRICT OF DELAWARE

Case number (if known)

Chapter 11☐ Check if this an amended filing**Official Form 201****Voluntary Petition for Non-Individuals Filing for Bankruptcy**

04/20

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Moon Group, Inc.

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 30-01674844. Debtor's address **Principal place of business**

145 Moon Road
Chesapeake City, MD 21915
 Number, Street, City, State & ZIP Code

Cecil
 County

Mailing address, if different from principal place of business

P.O. Box 672
Chesapeake City, MD 21915
 P.O. Box, Number, Street, City, State & ZIP Code

Location of principal assets, if different from principal place of business

 Number, Street, City, State & ZIP Code

5. Debtor's website (URL) _____

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))☐ Partnership (excluding LLP)☐ Other. Specify: _____

Debtor **Moon Group, Inc.**
Name

Case number (if known)

7. Describe debtor's business A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. Check all that apply:

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11**. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

- ☒ No.
- ☐ Yes.

If more than 2 cases, attach a separate list.

District _____
District _____

When _____
When _____

Case number _____
Case number _____

Debtor **Moon Group, Inc.**
Name

Case number (if known)

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?
- ☐ No
☒ Yes.

List all cases. If more than 1, attach a separate list

Debtor **See Attachment**

District

When

Relationship

Case number, if known

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No☐ Yes.

Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

- ☐ It needs to be physically secured or protected from the weather.

- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

- ☐ Other

Where is the property?

Number, Street, City, State & ZIP Code

Is the property insured?

☐ No☐ Yes. Insurance agency

Contact name

Phone

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

☒ 1-49☐ 50-99☐ 100-199☐ 200-999☐ 1,000-5,000☐ 5001-10,000☐ 10,001-25,000☐ 25,001-50,000☐ 50,001-100,000☐ More than 100,000

15. Estimated Assets

☒ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☐ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion

16. Estimated liabilities

☐ \$0 - \$50,000☐ \$1,000,001 - \$10 million☐ \$500,000,001 - \$1 billion

Debtor	Moon Group, Inc,	Case number (if known)
	Name	
<input type="checkbox"/> \$50,001 - \$100,000	<input checked="" type="checkbox"/> \$10,000,001 - \$50 million	<input type="checkbox"/> \$1,000,000,001 - \$10 billion
<input type="checkbox"/> \$100,001 - \$500,000	<input type="checkbox"/> \$50,000,001 - \$100 million	<input type="checkbox"/> \$10,000,000,001 - \$50 billion
<input type="checkbox"/> \$500,001 - \$1 million	<input type="checkbox"/> \$100,000,001 - \$500 million	<input type="checkbox"/> More than \$50 billion

Debtor **Moon Group, Inc.**
Name

Case number (if known)

Request for Relief, Declaration, and Signatures**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**17. Declaration and signature of authorized representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **August 12, 2021**
MM / DD / YYYY

X

Signature of authorized representative of debtor

John D. Pursell, Jr.

Printed name

Title **Chief Executive Officer****18. Signature of attorney**

X

Signature of attorney for debtor

Date **August 12, 2021**
MM / DD / YYYY**William D. Sullivan**
Printed name**Sullivan Hazeltine Allinson LLC**
Firm name**919 North Market Street**
Suite 420
Wilmington, DE 19801

Number, Street, City, State & ZIP Code

Contact phone **(302) 428-8191**Email address **bsullivan@sha-llc.com****2820 DE**
Bar number and State

Debtor **Moon Group, Inc.**
Name

Case number (if known)

Fill in this information to identify your case:

United States Bankruptcy Court for the:

DISTRICT OF DELAWARE

Case number (if known)

Chapter **11**☐ Check if this an
amended filing**FORM 201. VOLUNTARY PETITION****Pending Bankruptcy Cases Attachment**

Debtor	Moon Landscaping, Inc.	Relationship to you	Affiliate
District	Delaware	When 8/12/21	Case number, if known
Debtor	Moon Nurseries, Inc.	Relationship to you	Affiliate
District	Delaware	When 8/12/21	Case number, if known
Debtor	Moon Site Management, Inc.	Relationship to you	Affiliate
District	Delaware	When 8/12/21	Case number, if known
Debtor	Moon Wholesale, Inc.	Relationship to you	Affiliate
District	Delaware	When 8/12/21	Case number, if known
Debtor	Rickert Landscaping, Inc.	Relationship to you	Affiliate
District	Delaware	When 8/12/21	Case number, if known

**JOINT RESOLUTION
OF
MOON GROUP, INC. AND AFFILIATES**

Upon motion duly made, seconded, and carried, the following resolutions were duly adopted by the vote of the directors present at a properly convened meeting of the respective boards of directors (the "Boards") of Moon Group, Inc. ("Moon Group"), a Delaware corporation, and its affiliates (each, a "Company" and, collectively with Moon Group, the "Companies") at which a quorum was present.

I. Chapter 11 Filing

WHEREAS, it has been proposed that the Companies seek to restructure their respective businesses and operations by seeking relief under the provisions of Chapter 11 of Title 11 of the United States Code (the "Bankruptcy Code").

NOW, THEREFORE, BE IT RESOLVED, based on factors and information deemed relevant to the Boards, in the judgment of the Boards, it is desirable and in the best interests of the Companies, their creditors and other interested parties that voluntary petitions (the "Petitions") be filed pursuant to Chapter 11 of the Bankruptcy Code on behalf of the Companies;

FURTHER RESOLVED, that the filing of Petitions on behalf of the Companies be, and the same hereby are, approved and adopted in all respects and that any officer of the respective Companies (each, an "Officer" and collectively, the "Officers"), be and each hereby is, authorized and empowered on behalf of the applicable Company, to execute, acknowledge, deliver, and verify the Petition and to cause the same to be filed with the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Court") as such time as such Officer may determine;

FURTHER RESOLVED, that each of the Officers of the Companies be and hereby are authorized to (a) execute and file all petitions, schedules of assets and liabilities, statements of financial affairs, lists and other papers to take any and all related actions that such Officers may deem necessary or proper in connection with such chapter 11 case, (b) execute, acknowledge, deliver and verify any and all documents necessary or proper in connection with the Petitions and to commence the Companies' respective chapter 11 cases in such form or forms as such Officer may deem necessary or proper and in order to effectuate the foregoing resolutions, and (c) engage attorneys and other professionals as such Officer deems necessary or proper to accomplish the purposes of the resolutions;


FURTHER RESOLVED, that the law firms of Kurtzman | Steady, LLC and Sullivan Hazeltine Allinson LLC be and hereby are authorized, empowered, and directed to represent the Companies as debtors in connection with any chapter 11 case commenced by or against the Companies under the Bankruptcy Code, and to (a) execute, acknowledge, deliver and verify the Petitions and all other ancillary documents, and to cause the Petitions to be filed with the Bankruptcy Court and make or cause to be made, prior to execution thereof, any modifications to the Petitions or any ancillary documents as an Officer of the Companies deems necessary,

desirable, or appropriate to carry out the intent and accomplish the purpose of these resolutions, (b) execute, acknowledge, deliver, verify, and file or cause to be filed all petitions, schedules, statements, lists, motions, applications, and other papers or documents necessary or proper in connection with the foregoing, and (c) execute, acknowledge, deliver, and verify any and all other documents necessary or proper in connection therewith and to administer the Companies' respective chapter 11 cases as required by the applicable provisions of the Bankruptcy Code; and

FURTHER RESOLVED, that all acts lawfully done or actions lawfully taken prior to the date hereof by any Officer of the Company or any professionals engaged by the Company with respect to any transactions contemplated by the foregoing resolutions, or otherwise in preparation for or in connection with the Companies' chapter 11 cases or any proceedings related thereto, or any matter related thereto, be and hereby are, adopted, approved, ratified and confirmed in all respects as the acts and deeds of the Companies as if such acts and deeds took place after the date of these resolutions.


MOON GROUP, INC.

Dated: August 12, 2021

By: 
Print name: John D. Pursell, Jr.
Title: Chief Executive Officer


MOON LANDSCAPING, INC.

Dated: August 12, 2021

By: 
Print name: John D. Pursell, Jr.
Title: Chief Executive Officer


MOON NURSERIES, INC.

Dated: August 12, 2021


By: 
Print name: John D. Pursell, Jr.
Title: Chief Executive Officer

MOON SITE MANAGEMENT, INC.


Dated: August 12, 2021

By: 
Print name: John D. Pursell, Jr.
Title: Chief Executive Officer

Dated: August 12, 2021

By: 
Print name: John D. Pursell, Jr.
Title: Chief Executive Officer

Dated: August 12, 2021

By: 
Print name: John D. Pursell, Jr.
Title: Chief Executive Officer

**United States Bankruptcy Court
District of Delaware**

In re Moon Group, Inc.

Debtor(s)

Case No.
Chapter11

LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
--	----------------	----------------------	------------------

Moon Group Employee Stock Ownership Plan 145 Moon Road Chesapeake City, MD 21915			
---	--	--	--

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the **President** of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date August 12, 2021

Signature


John D. Pursell, Jr.

*Penalty for making a false statement of concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.*

United States Bankruptcy Court
District of Delaware

In re Moon Group, Inc,

Debtor(s)

Case No.

Chapter

11

CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for Moon Group, Inc, in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

Moon Group Employee Stock Ownership Plan
145 Moon Road
Chesapeake City, MD 21915

☐ None [Check if applicable]

August 12, 2021

Date

/s/ William D. Sullivan

William D. Sullivan

Signature of Attorney or Litigant

Counsel for Moon Group, Inc.

Sullivan Hazeltine Allinson LLC

919 North Market Street, Suite 420

Wilmington, DE 19801

(302) 428-8191

bsullivan@sha-llc.com

Fill in this information to identify the case:

Debtor name Moon Group, Inc., et al.United States Bankruptcy Court for the: _____ District of Delaware
(State)

Case number (if known): _____

☐ Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an *insider*, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim		
					If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
1	BrightView Landscapes, LLC PO Box 740655 Atlanta, GA 30374						\$152,505.49
2	Diamond Tool & Fastener 2800 Grays Ferry Ave. Philadelphia, PA 19146			Disputed			\$140,000.00
3	Grass B Gone 78 Camp Sheppard Lane Gandeeville, WV 25243						\$105,458.00
4	HMS Insurance Associates, Inc. 20 Wight Avenue, Suite 300 Hunt Valley, MD 21030						\$335,067.00
5	Hutch's Lawncare PO Box 40 Handley, WV 25102						\$154,590.00
6	J Frank Schmidt & Son P O Box 189 Boring, OR 97009						\$128,358.16
7	Lakeland Cemetery Services PO Box 5452 De Pere, WI 54115						\$402,413.80
8	Marshall Landscaping 323 Jaymar Blvd. Newark, DE 19702						\$78,276.13

Debtor Moon Group, Inc., et al.

Name _____

Case number (if known) _____

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
9	MAT Site Management PA LLC 130 W. Main Street, #144 Box 144-113 Trappe, PA 19426						\$448,843.57
10	P & B Lawn Service 11211 Shalom Lane Hagerstown, MD 21742						\$178,504.45
11	Parrish Lawn Care & Landscaping 122 Waite Lane Aliquippa, PA 15001						\$110,423.19
12	Sabia Landscape, Inc. 115 E Glenside Avenue, Suite 9 Glenside, PA 19038						\$125,000.00
13	Service Group Unlimited 10188 Auburn Ave Cincinnati, OH 45241						\$360,618.10
14	SiteOne Landscape Supply 24110 Network Place Chicago, IL 60673						\$69,138.24
15	The Davey Tree Expert Company 1500 N. Mantua Street Kent, OH 44240			Disputed			\$268,929.19
16	Tideland Gardens, Inc. 10040 Perkins Hill Road Chestertown, MD 21620						\$85,226.15
17	TruGreen PO Box 9001033 Louisville, KY 40290						\$81,316.12
18	United Lawnscape, LLC 62170 Van Dyke Washington, MI 48094						\$96,909.50
19	Veris Benefits Consortium PO Box 5406 Lancaster, PA 17606						\$617,103.29
20	AT&T Mobility PO Box 6463 Carol Stream, IL 60197-6463						\$52,914.37

Fill in this information to identify the case:

Debtor name Moon Group, Inc., et al.United States Bankruptcy Court for the: DISTRICT OF DELAWARE

Case number (if known) _____

☐ Check if this is an amended filing

Official Form 202

Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ *Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- ☐ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☐ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☐ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☐ *Schedule H: Codebtors* (Official Form 206H)
- ☐ *Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- ☐ Amended Schedule
- ☒ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☐ Other document that requires a declaration _____

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 12, 2021

X

Signature of individual signing on behalf of debtor

John D. Pursell, Jr.

Printed name

Chief Executive Officer

Position or relationship to debtor